



Order Filed on May 21, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

MELLINGER, SANDERS & KARTZMAN, LLC

101 Gibraltar Drive, Suite 2F

Morris Plains, New Jersey 07950

Joseph R. Zapata, Jr., Esq.

Tel. (973) 267-0220

jzapata@msklaw.net

Attorneys for Steven P. Kartzman, Chapter 7 Trustee

In re:

**MICHAEL KALFUS AND
ROBIN KALFUS,**

Debtor.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Case No. 18-13396 (VFP)

Chapter 7

Honorable Vincent F. Papalia

**CONSENT ORDER RECLASSIFYING CLAIM
OF THE STATE OF NEW JERSEY, DIVISION OF TAXATION**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: May 21, 2020



Honorable Vincent F. Papalia
United States Bankruptcy Judge

Page 2 of 3

Debtor: Michael Kalfus and Robin Kalfus

Case No.: 18-13396 (VFP)

Caption: Consent Order Reclassifying Claim of the State of New Jersey, Division of Taxation

THIS MATTER having been brought before the Court by Mellinger, Sanders & Kartzman, LLC, attorneys for the Chapter 7 Trustee, Steven P. Kartzman (the “Trustee”), on application for the entry of a Consent Order reclassifying the claim of the State of New Jersey, Division of Taxation; and the State of New Jersey, Division of Taxation having filed proof of claim #13-1 against the estate in the amount of \$73,862.17, with \$40,833.37 being asserted as secured; and the parties having agreed on the terms set forth herein, as appears from the signatures of counsel affixed hereto, it is hereby

ORDERED AS FOLLOWS:

1. The Proof of Claim filed by the State of New Jersey, Division of Taxation on March 23, 2018 in the amount of \$73,862.17 (Claim No. 13-1), be, and is hereby reclassified as a priority claim in the amount of \$62,216.17 and a general unsecured claim in the amount of \$11,646.00.

2. The Trustee reserves the right, if necessary, to further challenge and/or address the amount of the claim filed by the State of New Jersey, Division of Taxation for a period of 180 days from the date of entry of this Order (the “Deadline to Object”). To the extent not further extended, should the Trustee fail to file an objection to the claim within the Deadline to Object, the claim shall be deemed an allowed claim.

3. The parties, and anyone who succeeds to their rights and responsibilities hereunder, including their successors and/or assigns, are bound by this Consent Order. This Consent Order is made for the benefit of the parties and all who succeed to their rights and responsibilities.

4. The Bankruptcy Court shall retain exclusive jurisdiction to adjudicate all matters arising under or in connection with this Consent Order.

Page 3 of 3

Debtor: Michael Kalfus and Robin Kalfus

Case No.: 18-13396 (VFP)

Caption: Consent Order Reclassifying Claim of the State of New Jersey, Division of Taxation

*The undersigned hereby consent to
the form and entry of the within Order:*

MELLINGER KARTZMAN LLC

*Attorneys for Steven P. Kartzman
Chapter 7 Trustee*

GURBIR S. GREWAL

*Attorney General for the State Of New Jersey
Division of Taxation*

By: /s/ Joseph R. Zapata, Jr.
JOSEPH R. ZAPATA, JR., ESQ.

By: /s/ Heather Lynn Anderson
HEATHER LYNN ANDERSON, D.A.G.

Dated: March 5, 2020

Dated: March 3, 2020

In re:
Michael Kalfus
Robin Kalfus
Debtors

Case No. 18-13396-VFP
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

Date Rcvd: May 22, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 24, 2020.
db/jdb +Michael Kalfus, Robin Kalfus, 7 Lakeview Terrace, Montville, NJ 07045-9158

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 24, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 22, 2020 at the address(es) listed below:

Anthony Sodono, III on behalf of Defendant Michael Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Defendant Robin Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Debtor Michael Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Defendant Michael and Robin Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Joint Debtor Robin Kalfus asodono@msbnj.com
 Caitlin Conklin on behalf of Creditor Lakeland Bank caitlin.conklin@klgates.com
 Charles Michael Rowan on behalf of Creditor Albert Kenney mrowan@saul.com
 Christian Del Toro on behalf of Creditor Haven Savings Bank cdeltoro@martonelaw.com, bky@martonelaw.com
 David Gerardi on behalf of U.S. Trustee U.S. Trustee david.gerardi@usdoj.gov
 Denise E. Carlon on behalf of Creditor VW Credit Leasing, Ltd dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Elizabeth L. Wassall on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2005-J9) ewassall@logs.com, njbankruptcynotifications@logs.com
 Eugene Killian, Jr. on behalf of Defendant Syracuse University ekillian@tkfpc.com, lstudwell@tkfpc.com;rmilun@tkfpc.com
 Forrest Scott Turkish on behalf of Attorney Forrest Turkish fsturkish@aol.com
 Frank J Martone on behalf of Creditor Haven Savings Bank bky@martonelaw.com
 Guillermo Gonzalez on behalf of Joint Debtor Robin Kalfus ggonzalez@scura.com, ecfbkfilings@scuramealey.com;dstevens@scura.com;lrichard@scura.com;martinezcr93878@notify.bestcase.com
 Guillermo Gonzalez on behalf of Debtor Michael Kalfus ggonzalez@scura.com, ecfbkfilings@scuramealey.com;dstevens@scura.com;lrichard@scura.com;martinezcr93878@notify.bestcase.com
 John O'Boyle on behalf of Plaintiff Osborn Financial Group, LLC joboyle@norgaardfirm.com, sferreira@norgaardfirm.com;l84grandno@gmail.com;kcimmino@norgaardfirm.com
 John A. Fialcowitz on behalf of Plaintiff Fishman consulting group, llc john@fialcowitzlaw.com
 Joseph L. Schwartz on behalf of Interested Party The County of Morris, Morris County Sheriff's Office jschwartz@riker.com
 Joseph R Zapata, Jr. on behalf of Plaintiff Steven P. Kartzman jzapata@msklaw.net
 Joseph R Zapata, Jr. on behalf of Trustee Steven P. Kartzman jzapata@msklaw.net
 Judah B Loewenstein on behalf of Trustee Steven P. Kartzman jloewenstein@msklaw.net
 Mark E. Hall on behalf of Mediator Mark Hall mhall@foxrothschild.com, cbrown@foxrothschild.com
 Matteo Percontino on behalf of Creditor Lakeland Bank mpercontino@coleschotz.com, matteo.percontino@klgates.com
 Melissa S DiCerbo on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2005-J9) nj-ecfmail@mw-c-law.com, nj-ecfmail@ecf.courtdrive.com
 Rebecca Ann Solarz on behalf of Creditor VW Credit Leasing, Ltd rsolarz@kmlawgroup.com

District/off: 0312-2

User: admin
Form ID: pdf903

Page 2 of 2
Total Noticed: 1

Date Rcvd: May 22, 2020

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Richard James Tracy, III on behalf of Creditor The Bank of New York Mellon, FKA The Bank of New York, as Trustee for the Certificateholders of Cwalt Alternative Loan Trust 2005-J9, Mortgage Pass-Through Certificates, Series 2005-J9 by its servicer rtracy@hillwallack.com, tshariff@schillerknapp.com; kcollins@schillerknapp.com; ahight@schillerknapp.com
Sari Blair Placona on behalf of Debtor Michael Kalfus splacona@msbnj.com
Sari Blair Placona on behalf of Joint Debtor Robin Kalfus splacona@msbnj.com
Steven P. Kartzman on behalf of Trustee Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net; njl6@ecfcbis.com; jloewenstein@msklaw.net; denisew@msklaw.net
Steven P. Kartzman on behalf of Plaintiff Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net; njl6@ecfcbis.com; jloewenstein@msklaw.net; denisew@msklaw.net
Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net; njl6@ecfcbis.com; jloewenstein@msklaw.net; denisew@msklaw.net
Steven P. Kelly on behalf of Defendant American Express National Bank skelly@sterneisenberg.com, bkecf@sterneisenberg.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William L. Waldman on behalf of Creditor Lakeland Bank william.waldman@klgates.com, waldmanw@aol.com

TOTAL: 35